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DEC 23 2003

Attorney Docket No. 015662-000900US
Dated: December 23, 2003

PTO FAX NO.: 1 (703) 872-9306

ATTENTION: Examiner: Edward Webman
Technology Center/Art Unit: 1617

**OFFICIAL COMMUNICATION
FOR THE PERSONAL ATTENTION OF
EXAMINER EDWARD WEBMAN**

MESSAGE: Please see attached. Thank you for your attention to this matter. Joel G. Ackerman, Reg. No. 24,307

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this document and attachment(s) regarding U.S. Patent Application No. 09/432,881 is/are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Documents Attached

1. Amendment

2.

Number of pages being transmitted, including this page: 21

Dated: December 23, 2003


Lois M. Simón

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TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
Telephone: (415) 576-0200
Fax: (415) 576-0300
60107426 v1

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 0)

Complete if Known	
Application Number	09/432,881
Filing Date	November 2, 1999
First Named Inventor	Markey, Micheline
Examiner Name	Edward Webman
Art Unit	1817
Attorney Docket No.	015662-000900US

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Order Other None
 Deposit Account:
Deposit Account Number **20-1430**Deposit Account Name **Townsend and Townsend and Crew LLP**

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 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	285	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Fee from below		Fee Paid
Total Claims	88	-60** = 0	×\$18 =	\$0
Independent Claims	3	-3** = 0	×\$86 =	\$0
Multiple Dependent		X		

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	66	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	88	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)					
Large Entity	Small Entity	Fee Description	Fee Paid		
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	85	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to Institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	840	2503	320	Plant issue fee	
1480	130	1480	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 0)					

SUBMITTED BY

Complete if applicable

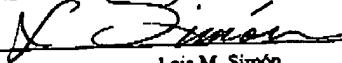
Name (Print/Type)	Joel G. Ackerman	Registration No. (Attorney/Agent)	24,307	Telephone	415-576-0200	
Signature					Date	December 23, 2003

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TOWNSEND and TOWNSEND and CREW LLP

By: 

Lois M. Simón

PATENT
Attorney Docket No.: 015662-000900US

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DEC 23 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Micheline Markey, John W. Shell,
Bret Berner

Application No.: 09/432,881

Filed: November 2, 1999

For: PHARMACOLOGICAL
INDUCEMENT OF THE FED MODE
FOR ENHANCED DRUG
ADMINISTRATION TO THE
STOMACH

Customer No.: 20350

Confirmation No. 1727

Examiner: Edward Webman

Technology Center/Art Unit: 1617

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed November 6, 2003, please enter the following amendments and remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 17 of this paper.